

THE ROLE OF TRADE IN THE  
ECONOMIC READJUSTMENT OF  
BYZANTIUM IN THE SEVENTH  
CENTURY

ROBERT S. LOPEZ

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The peculiarity that first strikes an economic historian as he looks at early mediaeval Byzantium is the persistence of the features it inherited from the Greco-Roman world. Again and again, he comes across institutions, methods, and even physical objects that bear the mark of classical antiquity deeply etched below the incrustations of later times. As late as the tenth century, the coinage was virtually the same as in the age of Constantine, the legal rates of interest were hardly changed, and at great banquets the fish sauce was prepared with the very recipe ordered by the Digest to be concealed from barbarian scullions. What is more, the basic patterns that had been woven into the texture of the ancient Mediterranean society, while somewhat faded, remained clearly recognizable down to the tenth century and later. The state maintained its grip on such economic activities as seemed relevant to its own security and glory. The towns preserved both their leading functions as residences of aristocrats, bureaucrats, and prelates, and their social stratification under which the merchant was subordinate to the landowner. And, whereas in Western Europe the predominance of serfdom almost eliminated the gulf between free men and slaves, in the Byzantine Empire slavery continued to play a significant role, and freedom at the lowest level survived.<sup>1</sup>

Yet a closer scrutiny reveals a great deal of flexibility and progress which had to be blended with conservatism, so that the Empire could survive. The fundamental, multiseular trends at work in other parts of the hemisphere from England to China affected the Byzantine economy as well. A headlong depression and deflation which lasted to the mid-eighth century was followed first by a period of uneasy stabilization until the mid-tenth century, and finally by a phase of rapid economic growth which carried over into the later middle ages. In addition there were innumerable storms and squalls of more restricted scope, but often of greater violence, such as wars, revolutions, and famines. The relations between central government and local units, agriculture and trade, masters and dependants underwent substantial modifications. New contracts, new ships, new wares, new routes came into being, and even what was preserved owed its survival to skillful adaptation. To be sure, the Byzantine Empire never became "mediaeval" to the same extent as did Western Europe—and this was a mixed blessing, for the advantage of a less profound decadence was eventually offset by the disadvantage of a less abundant and extensive recovery. Still, readjustment there was, often of such novelty and imagination that Byzantium was an inspiration to both Catholic Europe and Islam, and well deserved the praise of a chronicler who said: "The Empire, this old lady, looks like a young girl attired in gold and precious stones."

<sup>1</sup> A good basic bibliography on Byzantine finances and economic life, by P. Charanis, is appended to the American edition of Ch. Diehl, *Byzantium: Greatness and Decline* (New Brunswick, N. J., 1957), 341 ff. The outline of Byzantine economic development which opens the present paper has been drawn more fully in my lecture "Un borgne au royaume des aveugles: la position de Byzance dans l'économie européenne du haut moyen âge," *Bulletin de l'Association Marc Bloch de Toulouse*, V-VI (1953-55), 25-31.

The seventh century, with which this paper is particularly concerned, was the crucial period, the time of decisions which set the Byzantine economy on the half-conservative, half-progressive course that was to be its distinctive characteristic. Most of these decisions are obscure to us, not only because at this critical juncture the chronic poverty of economic evidence increased to the point of destitution, but also because no broad planning was feasible while the continuous state of emergency required everyone to take whatever immediate action seemed at a given moment to be expedient and possible. And perhaps the most important changes were not the results of conscious decisions, but merely the outcome of the gradual adjustment by individuals and the masses to changing conditions. Whereas the reconstruction of the imperial guilds was very probably the act of authority of an individual prince, and whereas the reorganization of controlled foreign trade was the patchwork of many administrators, the new contracts and pacts of sea trade and communal agriculture were the ultimate product of everyday practice, the invention of hundreds of unknown seamen and peasants.

It is my purpose here to describe the fate of sailors, merchants, and artisans, as I see it in the dim light of seventh-century sources or through the distant glow of later sources reaching back into that century. I shall extract what information I can out of political chronicles, lives of saints, legal texts, seals, and other archaeological evidence, for at that time nobody wrote expressly of sordid economic matters. I cannot begin, however, without mentioning briefly three general problems that conditioned all efforts for economic readjustment.

First, there was the demographic crisis. This was not a new affliction, but it was made worse by the plague of 541, with its many recurrences down to 618, and was greatly aggravated by the Avar, Slav, Bulgarian, Germanic, and Persian invasions. Minor raids, famines, and monastic celibacy made the affliction chronic for the remainder of the seventh century and the first half of the eighth.<sup>2</sup> Some of the provinces, especially in Asia Minor, suffered less than others, but on the whole the molecular structure of the Byzantine Empire became almost as loose as that of the barbarian West. In the West extensive uninhabited territory separated the surviving clusters of agricultural villages, and trade gradually deserted the deteriorated roads. In the Byzantine Empire the effect was somewhat different, because nearly every group of agricultural units included a city where the inhabitants continued their trade while growing most of their own food, and because most cities were on the sea coast. Hence, the disruption of land routes, documented by the virtual disappearance of the postal service and of road liturgies except on the main Anatolian highway, left greater opportunity and necessity for intercourse by sea and often by river.<sup>3</sup> To be sure, the letters of

<sup>2</sup> One does not detract from the gratitude owed to A. Andréadès' pioneer works on Byzantine demography by noting that his estimates were far too high. A good deal of useful material is collected in John Teall's dissertation (see below, pp. 92 f., 100 f.) on the grain trade in the Byzantine Empire. For Constantinople and the Balkans see also my report on "East and West in the Early Middle Ages: Economic Relations," *Relazioni del X Congresso Internazionale di Scienze Storiche*, III (Florence, 1955), 119 ff., and P. Lemerle, "Invasions et migrations dans les Balkans depuis la fin de l'époque romaine jusqu'au VIII<sup>e</sup> siècle," *Revue historique*, CCXI (1954), 281 ff.; additional data and references will be found in the papers of Ostrogorsky and Charanis in the present volume.

<sup>3</sup> Cf. L. Bréhier, *Les institutions de l'empire byzantin* (Paris, 1949), 324 ff.; R. S. Lopez, "The Evolution of Land Transport in the Middle Ages," *Past and Present*, IX (1956), 17 ff.; Lemerle, *op. cit.*, 273 ff.

Gregory I already indicate a diminution in the frequency and size of long-distance navigation, but the reduced population did not call for more. The Miracles of Artemius—to quote only one of several seventh-century hagiographic sources—speak of regular navigation between Constantinople and Rhodes, and of ships calling at other ports of the Aegean and Black Seas. Connections with Sicily and Sardinia were less satisfactory, but were never seriously threatened.<sup>4</sup> The coming of the Arabs, of course, did not make things easier; but no-one any longer believes that it had catastrophic consequences for trade.<sup>5</sup>

To fulfill their task of ensuring communications by every available anchorage and channel, and to dodge or outrun the hostile ships that lurked along every route, Byzantine sailors had to improve their techniques. It was probably at this period that a revolution in the steering of ships was completed; the lateen or triangular sail, which had been known, though infrequently used, for several centuries finally predominated.<sup>6</sup> Swifter and slimmer ships were also experimented with. The Life of St. John the Almsgiver mentions a new name, the δόρκων or gazelle. Was she the forerunner of the γαλαία or “swordfish,” first mentioned by Leo VI, and destined to become queen of the sea, suitable for either trade or war? We do not know, but all this nautical zoology suggests vessels emphasizing agility and speed at the expense of size, and this can only mean a departure from the traditional three-deckers and other behemoths of ancient fleets.<sup>7</sup> To what extent this was a direct answer to the small and fast Slavonic monoxyle and Arab dhow, and to what extent it depended on the fact that commercial cargoes were no longer very large, we cannot tell.<sup>8</sup> At any

<sup>4</sup> Cf. G. Mickwitz, “Der Verkehr auf dem westlichen Mittelmeer um 600,” *Festschrift A. Dopisch* (Leipzig, 1938), 74 ff.; *Miracula Artemii*, ed. Papadopoulos-Kerameus in *Zapiski Istor.-Filol. Fak. Imper. S. Petersburgskago Universiteta*, XCV (1909), 33, 39, 55–57; G. Zanetti, “I Longobardi e la Sardegna,” *Atti del I Congresso Internazionale di Studi Longobardi* (Spoleto, 1951), 525 ff.

<sup>5</sup> The above statement sums up the views that I expressed in my report at the Tenth International Congress of Historical Sciences, where they were not challenged. Apparently the controversy on “Mohammed and Charlemagne,” after providing excellent ground for discussion during the last twenty-five years—more than a hundred works are quoted in the rich but incomplete list of A. Riising, “The Fate of Henri Pirenne’s Theses,” *Classica et Medievalia*, XIII (1952), 87 ff.—has reached the point of diminishing returns. It does not seem useful to dwell on this problem here.

<sup>6</sup> To the bibliography in L. White, “Technology and Invention in the Middle Ages,” *Speculum*, XV (1940), 145 and notes 5–6, we now must add L. Casson, “The Sails of the Ancient Mariner,” *Archaeology*, VII (1954), 214 ff., notable for its reproductions of Hellenistic bas-reliefs of the second or third century representing lateens or spritsails. These antedate by more than five hundred years the Byzantine miniatures of 886 which previously had been regarded as the earliest clearly dated representations; cf. H. H. Brindley, “Early Pictures of Lateen Sails,” *Mariner’s Mirror*, XII (1926), 12–13. Between these extremes there are a few literary references and other data that lead one to think of a gradual diffusion of the lateen in the period under consideration in this paper.

<sup>7</sup> Leontius, *Vita S. Iohannis Eleemosynarii*, ed. Gelzer (Freiburg i. Br. and Leipzig, 1893), and cf. the translation of E. Dawes and N. H. Baynes, *Three Byzantine Saints* (Oxford, 1948), chaps. 10, 13; Leo VI, *Tactica*, chap. 19; further bibliography concerning the galley in R. S. Lopez, “Les Influences orientales et l’éveil économique de l’Occident,” *Journal of World History/Cahiers d’histoire mondiale*, I (1954), 600 and note 14. One might object that the Life of St. John mentions a “gazelle” carrying no less than 20,000 bushels of grain, but even if the figure is accurate, it would not impair the suggestion of a change in proportions, i.e. a more elongated type. Galleys, too, carried heavy loads if they were long enough.

<sup>8</sup> Although there is no direct reference to an influence of foreign ships in the seventh century, the following quotation from Leo VI’s *Tactica* deserves attention: “Thou shalt equip small and large vessels according to the character of the hostile peoples. For the barbarian Saracens and the so-called northern Scythians do not use the same sort of ships. The barbarians use larger and slower vessels and the Scythians smaller, lighter, and faster boats . . .” A similar statement is found in Nicephorus Uranus, cf. A. A. Vasiliev, “The Second Russian Attack on Constantinople,” *Dumbarton Oaks Papers*, 6 (1951), 183.

rate, we can detect an indication of improved seamanship in the fact that the problems of shipwreck and jettison, though still prominent in hagiography, lost much of their prominence in legal sources. Jettison was the only aspect of maritime law discussed in the Digest, but in the *Nomos Nautikos*, compiled between the seventh and the ninth century, it yielded first place to ordinary business matters.<sup>9</sup>

The second general problem, interwoven with the first, was the military crisis. The Empire lost Syria, Egypt, and large parts of Africa, Italy, and the Balkans. It is true that shedding an entire province, liabilities and all, was not altogether damaging in an age of poor communications and shrunken states. Moreover, the loss of the Egyptian granary may have stimulated Thracian and Anatolian agriculture, just as the loss of Syrian textile workshops must have fostered the growth of the silk industry in Constantinople and Greece.<sup>10</sup> Further, the loss of African olive oil accelerated the conversion to better lighting by wax candles and better cleansing by fat soap. Seventh-century sources have little to say on this subject, except for a mention of the "sacred" soap that Constans II was using when he was murdered in his "sacred" bath, but the contrast between the harassed guild of Neapolitan soapmakers in 599 and the exalted guild of soapmakers in tenth-century Constantinople is striking.<sup>11</sup> Though the use of wax for illumination is as old as that of oil, the profession of *ceriolarius* is mentioned only once in the *Corpus Inscriptionum*; but by the time of Nicephorus I, a *keroularios* was the choicest victim of imperial extortions. A typical *nouveau riche*, he paid a thousand pounds for the unsought honor of sitting at the imperial table. By 930 we hear of an entire street of wax sellers burned down in a fire at Constantinople.<sup>12</sup>

If the core of the Empire did not suffer too much from amputations at the periphery, readjustment was hard for those maritime towns whose hinterland fell under barbarian rule. Thessalonica, Cherson, Carthage, and Naples were the most notable among such towns in the seventh century; later Venice eclipsed all of them. If a city that had been thus hemmed in accepted its fate passively, it had no alternative than to depend on doles from other parts of the Empire, or to shrink to a size that could be fed by the harvest of its own citizens. In other words, it had to become what was hardly more than an agricultural village. For some cities, however, the handicap became a stimulus for befriending their foreign neighbors. They traded the salt produced in their own lands and the refined products of Byzantine workmanship for foodstuffs and raw materials of the barbarian hinterland. The Miracles of St. Demetrius and an inscription of Justinian II show the beginning of this process in seventh-century Thessalonica. Gradually the

<sup>9</sup> Cf. W. Ashburner, *The Rhodian Sea-Law* (Oxford, 1909), p. ccliiff. That this fifty year old work is still of fundamental importance indicates the admirable scholarship of its author, but it also shows that the Byzantine sea law has not been adequately reconsidered in recent times.

<sup>10</sup> On grain the most recent work is the thesis of John Teall published herewith; on silk see R. S. Lopez, "Silk Industry in the Byzantine Empire," *Speculum*, XX (1945), 1 ff.

<sup>11</sup> Gregorius I, *Epist.*, IX, 5; Leo VI, *Book of the Prefect*, XII; further references in A. Stöckle, *Spätrömische und byzantinische Zünfte* (Leipzig, 1911), 39 ff.

<sup>12</sup> *Corpus Inscriptionum Latinarum*, III, 2112 (and see also *cerarius* and κηροπώλης in Plautus, *Miles glor.* III, 1, 102; *Gloss. Gr. Lat.*); Theophanes, ed. De Boor, p. 487-488; Theoph. Cont., VI, 30; Leo VI, *Book of the Prefect*, XI. I am preparing a paper on the conversion from oil to butter, fat, and wax in Western Europe and the Byzantine Empire, to appear in *Byzantion*.

entire Italian, Dalmatian, Crimean, and Anatolian fringe of the Empire became studded with thriving cities, which acted as commercial intermediaries between Byzantium and its adversaries not only in time of truce, but also during wars.<sup>13</sup>

This leads us to the third general problem: political control. Not unlike the barbarian monarchs, the Byzantine emperor found it increasingly hard to exercise his authority far from his proper residence. Heraclius, who disliked leaving the capital, twice lost most of the provinces; Constans II, who wandered through Italy, lost even his life. But a political solution was brought about in two opposite ways: by consolidating the provinces into themes, and by releasing the forces of self-government and self-defense in the outer areas, as in the exarchates. A similar transformation occurred in the control of foreign trade. As long as the Empire was a large, compact, and almost self-sufficient state, its principal preoccupation was not to promote international exchanges, but to prevent foreigners from spying into state secrets, exporting war materials and essential commodities, or evading the payment of customs duties. A central official, the Count of the Commerces, channeled and supervised all external trade through special international fairs held periodically at a small number of checkpoints just inside the border. No alien merchant was allowed to trespass beyond the fairs, or to trade except in the presence of a representative of the central government.<sup>14</sup>

This tightly knit system, however, proved untenable when the solid frontier was broken and when foreign trade became a vital part of the economy. By the time of Heraclius, the single Count of the Commerces had been replaced by a host of *κομμερκιάρχιοι*, and the intermittent fairs of the border areas had been supplemented by a multitude of permanent *ἀποθήκαι τῶν βασιλικῶν κομμερκίων* in every important harbor and road terminus of the Empire. All this we know only through seals of officials and offices, but it seems safe to assume that the change was a response to the breaching of the frontier. Like the old fairs, the new local bureaus were not intended to promote international exchanges but to control them; they were safeguards of commercial defense, even as themes were safeguards of military defense. Yet international exchanges in a freer atmosphere were indispensable to the survival of those outlying possessions that were encircled by alien land. Here the Empire lifted its control, allowing local authorities to make what arrangements they could to maintain

<sup>13</sup> The economy of the Byzantine border towns could provide the subject for a highly interesting essay, but so far there are only local studies, most of them old and primarily concerned with political history, such as M. Schipa, *Il mezzogiorno d'Italia anteriormente alla monarchia* (Bari, 1923); R. Cessi, *Venezia ducale*, 2 vols. (Padua, 1928–29); L. M. Hartmann, *Analekten zur Wirtschaftsgeschichte Italiens* (Gotha, 1904); Ch. Diehl, *L'Afrique byzantine* (Paris, 1896); O. Tafrali, *Thessalonique des origines au XIV<sup>e</sup> siècle* (Paris, 1919); A. A. Vasiliev, *The Goths in the Crimea* (Cambridge, Mass., 1936), etc. On salt, in particular, see also Vasiliev's "An Edict of the Emperor Justinian II," *Speculum*, XVIII (1943). The largest selections from the scattered, yet fairly abundant material on the subject are found in two works devoted to other topics, the dissertation by John Teall herewith, and G. P. Bognetti, *Note per la storia del passaporto e del salvacondotto* (Pavia, 1933).

<sup>14</sup> On the problems discussed in this paragraph and the following one, the most detailed work is my own "Du marché temporaire à la colonie permanente," *Annales (économies, sociétés, civilisations)*, IV (1949), 389ff. To its bibliographic references one may add P. Duparc, "Les cluses et la frontière des Alpes," *Bibliothèque de l'Ecole des Chartes*, CIX (1951), and F. L. Ganshof, *Le Moyen Age (Histoire des relations internationales)*, I (Paris, 1953), chaps. 2 and 3.

and increase their trade across the border, even as they had to rely upon their own resources to forestall enemy occupation. In the sixth century Rome made informal agreements with the Lombards. In 715 the local Byzantine authorities of Comacchio concluded a formal commercial pact with the Lombard authorities of the Po valley. The Arab-Byzantine treaty of 688 included a peculiar *modus vivendi* for the island of Cyprus: the inhabitants paid tribute to both states, promised to disclose to each party any hostile preparations of the other party, and traded freely on both sides of the fence.

It is outside the limits of this paper to follow up the further drifting apart of the outlying provinces from the rest of the Empire. Eventually Venice and other Italo-Byzantine cities emerged as independent states, where international trade was supreme if not unrestricted, and where the entire social and economic structure was utterly unlike that of the Byzantine hard core. In the Byzantine Empire proper, on the other hand, the recovery of compact stretches of agricultural land restored the traditional predominance of agrarian interests. Diffidence towards foreign trade found new expression by confining alien merchants not at the points where they were furthest from vital centers, but where control of them was easiest, that is, in the compulsory lodging houses (μυτάρια) of the capital. The enterprising spirit of Greek merchants was eventually stifled by the convenience of trading with foreigners without leaving the protected areas of the fatherland. Nor was this the only field where the resurgent conservatism of the *ancien régime* killed the seeds of evolution and progress that had been planted in the soil of the seventh century.

Conservatism, however, showed its better side in backing up the basic lubricant of trade, currency. This was partly due to the fact that the unalloyed gold besant of full weight was singled out as a fitting symbol of the unalterable integrity of the imperial power. The seventh century began with what I believe was a law of Heraclius to enforce a new discipline on mint workers and a new penalty for counterfeiting; it ended with a war waged by Justinian II to punish the Arabs for issuing the first competitor of the besant, the dinar. To be sure, the aims of this policy were not primarily economic, nor were the methods entirely sound; but the result was a coin that propped up the purchasing power of Byzantine merchants at home and abroad,<sup>15</sup> and though not all of the besants which have been found in hoards all the way from England to Siberia are indisputable tokens of direct commercial relations, they seem to indicate that what commerce lost in volume was partly compensated for by gains in geographic expansion. To confirm their message we find occasional references to Greek merchants in Western chronicles and documents, the reception of Byzantine monetary legislation in Germanic law books and Islamic custom, and archaeological evidence of variable reliability and precision, ranging from the buckles, whose Byzantine origin has recently been reaffirmed after they had been taken as proofs of Bulgarian penetration, to the impressive

<sup>15</sup> Cf. R. S. Lopez, "The Dollar of the Middle Ages," *Journal of Economic History*, XI (1951), 209ff., and its bibliographic references. More recently, C. M. Cipolla, *Money, Prices, and Civilization in the Mediterranean World* (Princeton, N. J., 1956), chap. 2, has dealt with the same subject.



silver plates bearing Byzantine hallmarks.<sup>16</sup> The praise bestowed by Bede upon a British princess, whom he found as pure as the untarnished besant, parallels the celebration of British tin in the Life of St. John the Almsgiver, wherein the tin is miraculously transformed into marked silver plate. This miracle was lately "proved" to the St. Thomases of our age, when they were able to see and touch a Byzantine silver plate in the seventh-century ship-burial of Sutton Hoo. The least one can say is that there were Britishers who by trading with the Greeks turned tin into silver. On the other side of the hemisphere, Chinese reports of four embassies from the Byzantine Empire that reached China between 643 and 719 may lend support to the often doubted story of Zopatros, the Byzantine merchant who, according to Cosmas Indicopleustes, demonstrated the superiority of his emperor over the Persian autocrat by showing to the King of Ceylon the unmatched splendor of the besant.<sup>17</sup>

The reasons that lead one to call the besant the "dollar of the middle ages" have been explained on another occasion, but here it is proper to point out that even the prestige of the dollar in international trade rests upon the foundation of a prosperous internal economy based on quarters and dimes—not to mention nickels and pennies, which have recently fallen victims to inflation. Similarly, in the Byzantine Empire internal trade continued to play a large role in total amounts if not in concentration of capital. Less glamorous than the unique stability of the besant, yet probably no less significant, was the survival of silver coinage and the uninterrupted availability of copper coins, at the very period when barbarian Europe ceased to strike the small change which alone can serve the daily transactions of the common man. It would be too much to expect that the collapse of local monetary exchanges and the total disappearance of divisional coinage in Western Europe had no parallel in the East; there are indications that the Byzantine mints, too, diminished their output of silver and bronze in the course of the seventh century,<sup>18</sup>

<sup>16</sup> The economic historian can make little headway in this direction without the collaboration of the archaeologist, the numismatist, and the historian of law. Written and archaeological evidence relevant to the economic history of the seventh century is effectively combined in a number of works: J. Ebersolt, *Les arts somptuaires de Byzance* (Paris, 1923); V. Laurent, "Bulletin de numismatique byzantine 1940-49," *Revue des études byzantines*, IX (1951); L. Matzulewitsch, *Byzantinische Antike* (Berlin and Leipzig, 1929); N. Pigulevskaia, *Vizantiia na putiakh v Indii* (Moscow and Leningrad, 1951); J. Werner, "Byzantinische Gürtelschnallen des 6. und 7. Jahrhunderts aus der Sammlung Diergardt," in *Kölner Jahrbuch für Vor- und Frühgeschichte*, I (1955), p. 36 ff.

<sup>17</sup> On the missions to China cf. C. P. Fitzgerald, *China, a Short Cultural History*, 2nd ed. (London, 1948), chap. 15; on commercial relations with England, see the bibliographic references in R. S. Lopez, "Le problème des relations anglo-byzantines du septième au dixième siècle," *Byzantion*, XVIII (1946-48), 139 ff.

<sup>18</sup> Professor Ostrogorsky's interesting remarks on the comparative rarity of copper coins of the seventh century in numismatic collections—whereas gold coins are fairly well represented, see above, pp. 48 ff.—suggest the following comments: A. Obviously local and petty trade suffered more than long distance commerce, and the scarcity of copper in the Byzantine coinage reflects this trend; yet some copper was struck. The crisis was less serious than in the West, where gold alone was struck for a long period, and in some instances the function of divisional coinage was taken over by such substitutes as bread loaves of a standard size; cf. G. P. Bognetti, "Il problema monetario dell'economia longobarda," *Archivio Storico Lombardo*, LXIX (1944), 112 ff. B. Granted that copper coins seem to have been struck in smaller quantities than ever before, their rarity in numismatic collections partly depends on the fact that they did not attract modern collectors as much as gold coins, if only because of their shabby

but did not discontinue it. Indeed, the Heraclian dynasty is to be credited with the issue of an unusually heavy silver coin, the hexagram. In contrast to this, its copper *folles* became gradually smaller and was badly struck. Yet the ugly Heraclian *folles* must have changed hands rapidly in the shops of the city butchers, bakers, and candlestick makers—all of them mentioned in the sources of that period—and in such local fairs as that of Trimithus in Cyprus, where Theodore of Paphos bought coarse clothing and blankets while collecting information for his Life of St. Spyridon. No doubt the fair of Trimithus was a modest commercial gathering when compared to the great πανηγύριον of Ephesus, which by 787 was assessed a lump tax of a hundred gold pounds, that is, 7200 gold besants. But today besants circulate only on the numismatic market, and ruined Ephesus has lost its wealth and its pride, whereas the fair of Trimithus is still held every year on the feast of St. Spyridon, as it was in 625—a reminder that nothing can be as enduring as local tradition and humble trade.<sup>19</sup>

One Byzantine industry and trade, that of silk, did better than to endure the troubled seventh century: it entered a period of unprecedented growth. Not unlike currency, it provided glittering symbols of imperial power, which claimed the very best products for its exclusive use. Still other silk products formed the most valuable part of Byzantine exports, and there was a good deal left for internal consumption. The silk industry's most serious crisis had occurred in the age of Justinian I when the imperial monopoly had been extended to cover every stage in its production and trade, and when raw materials had become scarce, prices had skyrocketed, and many craftsmen had run away to Persia. However, that age had also been blessed by the first, unwilling contribution by China to the industrial potential of Europe: the silkworm was introduced to the Byzantine Empire. There followed an expansion which cannot be reconstructed in detail, for documents are too few and often impossible to date, but which may perhaps be imagined by the report that in

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appearance and careless striking. Moreover, we cannot expect that copper was hoarded as much as was gold or silver. C. Above all, the decline of copper in a period of economic contraction or stagnation is quickened by the heavier incidence of minting costs and the slower obsolescence of old coins in comparison to the costs and obsolescence of gold and silver coinage. Because of the high value of the metal, the latter can usually bear the minting cost and leave a profit to the mint even if the difference between face value and metallic content is relatively small; on the other hand, an old and worn coin will not easily be accepted at par with a coin of full weight. Therefore it is indispensable and profitable to issue new gold or silver coins at frequent intervals, even if the economy is not expanding. But the cost of minting a copper coin is too high in proportion to the value of the metal to leave a profit to the mint unless the difference between face value and metallic content is large; on the other hand, an old and worn coin is often accepted at par with a coin of full weight. Therefore it is neither indispensable nor profitable to issue new copper coins unless an expanding economy calls for an increased supply; yet if the demand for copper coins is sufficiently sustained, the government, even in a stagnant or contracted economy may try to freshen up old coins by the cheaper method of re-striking, that is, superimposing a new mark on an old piece. This method was often used in the early seventh century; old copper coins also were often used without re-striking. Cf. W. Wroth, *Catalogue of Imperial Byzantine Coins in the British Museum*, I (London, 1908), 237 ff., 370 ff.; E. Leuthold, "Monete bizantine rinvenute in Siria," *Rivista Italiana di Numismatica*, ser. 5, I (1952-53), 31 ff.

<sup>19</sup> Theophanes, p. 469; Theodore of Paphos, ed. P. van den Ven, *La légende de S. Spyridon évêque de Trimithonte* (Louvain, 1953), chap. 23, and cf. van den Ven's introduction, 114 and note 2.

768 Constantine V was able to ransom all prisoners taken by Slavic pirates on three Aegean islands by the single gift to the captors of 2500 silk robes. An article in the Bulgarian-Byzantine commercial treaty of 716, providing specifically for the export of textiles and leather, points out the importance of silk trade with the closest neighbors of the Empire. A textile from Liège, with the monogram of Heraclius, is dated evidence of the diffusion of Byzantine fabrics to the more distant countries of Western Europe. It matters little that the textile may have been a present of the Emperor to the Belgian church, for, if the gifts of precious silks from the imperial factories to foreign rulers and ecclesiastic institutions were trump cards in the diplomatic game, they also served to advertise the slightly less precious textiles that Byzantine private industry was in a position to sell to foreign merchants.<sup>20</sup>

The progress of the silk industry and trade was certainly connected with the diffusion of sericulture in the seventh century and with the elaboration of imaginative patterns by Byzantine designers. Yet probably the most significant change—in terms of human dignity, at least—was the collapse of the late Roman regimentation of virtually all craftsmen and traders in hereditary guilds, collectively responsible for a production quota or for the payment of a lump sum into the treasury. Historians have often pointed out that this bondage was already slackening under Justinian, and that by 599 a letter from the soapmakers of Naples to Pope Gregory I casts some light on the imminent breakdown of one compulsory guild. But it is only for the silk industry that we can observe the transition in some detail and place the decisive turn in the late sixth and early seventh centuries—if my attribution of the undated law *Περὶ μετάρξης* to the years immediately following Justinian, and of certain articles in the Basilics to Heraclius is correct. These texts show that both the imperial monopoly of silk manufacturing and trade and the restricting of silk workers and their descendants to their guilds lost their rigidity as the supply of raw material and the availability of manpower increased. The principle of heredity was preserved only for the δημόσια σώματα, the reorganized imperial guilds which manufactured in state-owned buildings the precious silks reserved for the emperor and the court. Privilege replaced coercion since all members were allowed to quit a guild but no man who was not of a member's family could join an imperial guild. Apart from textiles reserved for the emperor and his craftsmen, the silk industry and trade were thrown open to the free competition of private guilds and of individual entrepreneurs assisted by their own dependents. The government continued to see that legal restrictions of foreign trade were obeyed, but otherwise limited its intervention to the maintenance of fair trade practices. It helped the guilds enforce their own by-laws and apportioned opportunities between the different groups of producers, "so that

<sup>20</sup> Nicephorus, ed. De Boor, *Breviarium*, 76; Theophanes, 497; Lopez, "Silk Industry," plate IVa (where the textile is reproduced upside down). The latter paper contains a fuller discussion of the entire problem and bibliographic references, to which we may add F. E. Day, "The Tiraz Silk of Marwan," *Archaeologica Orientalia in memoriam Ernst Herzfeld* (Locust Valley, N. Y., 1952), 39 ff., an important study of the relations with the young Islamic silk industry of the seventh century.

men... should not shamelessly trample upon one another," to quote a later statement of Leo VI in the Book of the Prefect.<sup>21</sup>

I do not propose here to discuss in detail such scattered information on other craftsmen and merchants as can be obtained from the historical and hagiographic sources of the seventh century. The little we know seems to indicate a similar transition from qualified bondage to qualified freedom of employment. Eventually the improved status of craftsmen and shopkeepers

<sup>21</sup> Here I have summed up an argument which was developed at much greater length in three earlier papers, "Byzantine Law in the Seventh Century and its Reception by the Germans and the Arabs," *Byzantion*, XVI (1942-43), 445 ff.; "Silk Industry" (above, note 10); "Harmenopoulos and the Downfall of the Byzant," *Tomos Konstantinou Armenopoulou* (Salonika, 1951), 111 ff.; cf. also "An Aristocracy of Money in the Early Middle Ages," *Speculum*, XXVIII (1953), 5-9. My tentative reconstruction was well received by some scholars, but repeatedly challenged by Franz Dölger, *Byzantinische Zeitschrift*, XLII (1950), 244, and XLVI (1953), 235, 472, and by his disciple B. Sinogowitz, *Saeculum*, IV (1953), 321. Their case seemed to me less impressive than their erudition would have led me to expect: they merely insisted that the Basilics are nothing but a compilation of the *Corpus Juris* and cannot possibly contain any material of the seventh century. This, however, is a gratuitous assumption. Although by far the largest part of the Basilics consists of reshuffled and often obsolete Roman law, we know for certain that this monumental work also contains many passages borrowed from the *Procheiros Nomos* and the full text of the *Nomos Nautikos*, the latter being a compilation datable somewhere between the seventh and the ninth century. It is true that in the Basilics there is no trace of the handful of laws concerning ecclesiastical problems which is all that survives of original seventh-century legislation; but there is no a priori reason to exclude the possibility that other laws, of which the originals are no longer extant, may have left a trace. The circumstantial evidence that led me to postulate certain laws of Heraclius has already been listed in the three papers mentioned above. But it may be useful to recall very briefly the basic documents which were used for my reconstruction: *A*. In the fourth century a series of laws, collected in *Cod. Theod.* X, 20 and *Cod. Just.* XI, 7, "froze" in their employments all manufacturers and dyers of precious textiles, mint workers, and other craftsmen attached to imperial factories, forbidding even their descendants to change profession. *B*. A law of 426 (*Cod. Theod.* X, 20, 16 = *Cod. Just.* XI, 7, 13) repeated the same provisions for all *corpora*... *ad Divinas Largitiones nexu sanguinis pertinentia*, but opened a small loophole by allowing individual workers to withdraw from their guilds if they found a substitute acceptable to the Count of Sacred Largesses. *C*. Justinian brought the entire silk industry under state monopoly (Procopius, *Secret History*, chap. 25; schol. 6 *ad Basil.* XXIII, 3, 74), but opened another loophole by discharging some workers of the guild of purple-dyers, which had become overcrowded (*Nov. Just.* XXXVIII, 6). *D*. An undated ordinance, found in a collection of legal sources later than the *Corpus Juris* (*Peri metaxés*), relaxed certain obligations of the guild of importers of raw silk; the mention of the *kommerkiarioi* and other features of the ordinance suggest a date between the death of Justinian and the accession of Heraclius. *E*. A letter of the soapmakers of Naples (Greg. I, *Epist.*, IX, 5) shows that by 599 the regulations "freezing" the workers of that guild, whose status was similar to that of the imperial guilds, were no longer strictly enforced. *F*. An undated law, discovered by Cujas in a manuscript of the Basilics which is no longer available (*Basil.* LIV, 16, 16), indicates that the conditions of employment in the "public" or "imperial guilds" had changed to the exact opposite of what they had been in the fourth century. Now only the descendants or relatives of existing guild members were allowed to seek admission to the guild, and admission was granted only if there were vacancies and after an examination supervised by the provincial governors; in other words, the government strove not to keep unwilling workers in understaffed guilds, but to keep unnecessary workers out of overstuffed guilds. The fact that the Count of Sacred Largesses is no longer mentioned while the provincial governors still are, as well as other features of the law, suggests a date within the reign of Heraclius. Perhaps it was issued after the emergency minting of precious metals donated by the Church to fight the Persians (631), an act which must have caused a temporary overcrowding of the mints. *G*. The penalties of Roman law for dishonest moneyers and forgers were abandoned in favor of the new penalty of cutting off a hand; in Byzantine law this penalty is first mentioned in the Isaurian *Ecloga* XVII, 18, but the simultaneous introduction of the same penalty in Visigothic, Lombard, and Arab law at about the time of Heraclius suggests the probability that there was a law of Heraclius and that the neighbors of the Byzantine Empire adopted it. *H*. Later Byzantine law draws a clear distinction between "private" guilds, whose regulations are codified in the Book of the Prefect, and "public" guilds, whose regulations, stemming from Roman law, are preserved in the Basilics with such modifications as were needed to bring them in harmony with the spirit of the laws mentioned under *F*. and *G*.

manifested itself in the constitutional history of the empire as the *ἐργαστηριακοί* of the capital, together with the senate, the army, and the higher ranking citizens, were invited to take an oath of loyalty to Constantine V. That a sovereign should lower himself to demand a declaration of allegiance from ordinary laborers would have been unthinkable in Western Europe, where most craftsmen at that time were serfs and had no part whatsoever in the governing of the body politic.<sup>22</sup> Lest we excessively idealize the Byzantine democracy, however, we must remember that there slave workers were more numerous than in Western Europe. As late as the tenth century they were employed in many professions, and did not attain the status of masters except in the lesser guilds.<sup>23</sup>

If we recall that maritime trade often provided the only link between isolated limbs of the Byzantine territory, we shall not be surprised that the class which made the greatest gains during the seventh century was that of the *ναύκληροι* or sea merchants and captains. The burdensome obligations which the Late Roman Empire had imposed upon its *navicularii* disappeared with state transportation itself, although a case for the partial survival of grain liturgies may perhaps be made out of a passage of the Miracles of St. Demetrius; but on this subject my former student and present colleague, John Teall, has much more to say than I have.<sup>24</sup> At any rate the gradual adoption of smaller, one-decked vessels in the place of the old three-deckers and four-deckers was a powerful factor of democracy, if I may be permitted to use this term, which may seem anachronistic here though it was first used by the Greeks. The trireme called for slave oarsmen rowing in a floating prison, but on the single deck of the galley (and, perhaps, of its forerunner, the *dorkon*) all sailors shared the dangers and the opportunities of a common venture in the invigorating air of the open sea. It was also easier for a seaman to own a smaller ship, although any ship could be divided into shares small enough for the income bracket of a sailor. Thus it was that the sources of the seventh century very frequently mention a *naukleros* as an independent trader, if not necessarily as a well-to-do man. Indeed, it would have been hardly possible for the *naukleroi* to support maritime themes or to codify their self-imposed by-laws in the *Nomos Nautikos* except in an atmosphere of freedom. Both the *Nomos Nautikos* and the earliest maritime theme most probably go back to the seventh century. At the beginning of the ninth century Nicephorus I, while paying the *naukleroi* the undesirable honor of singling them out for two out

<sup>22</sup> Theophanes, 449; the same chronicler already mentions the *ergasteriakoí* in 703 as one of the classes from which Justinian II exacted payment for his vengeful expedition against Cherson (377). Prevailing conditions of mobility and free employment are also indicated by the fact that Constantine V hired skilled building workers (*ἀνδρας τεχνίτας εἰς οἰκοδομήν ἐμπείρους*) from all parts of the Empire to restore Valens' aqueduct in Constantinople, cf. Nicephorus, 76.

<sup>23</sup> Cf. A. Hadjinicolaou-Marava, *Recherches sur la vie des esclaves dans le monde byzantin* (Athens, 1950), 42 ff.; M. Siuziumov, "Remeslo i trgovlia v Konstantinopole v načale X veka," *Vizantiiskii Vremennik*, N.S., IV (1951), 11 ff.; the problem, however, has not yet been adequately studied.

<sup>24</sup> *Miracula Sancti Demetrii*, AA.SS. October IV, chap. 4, 175; but on this see Teall below, p. 122. This problem may receive further clarification in Professor Lemerle's forthcoming study of the *Miracula*.

of ten of his so-called fiscal "iniquities," made no attempt to curtail their well-deserved liberty.<sup>25</sup>

There is definitely a parallelism between the seamen of the *Nomos Nautikos* and the peasants of the *Nomos Georgikos*. Both groups had a hard life in the troubled seventh century, but both gained in status because they were the backbone of the armed forces and because they played an indispensable role in the economy of an underpopulated empire. The role of the seamen, however, was more exalted and offered far greater opportunities to profit from larger investments. It is no wonder that some of the most impressive miracles in Byzantine hagiography were performed on their behalf. Although the ship of 30,000 bushels that 300 men could not ease into the sea, mentioned in the *Spiritual Meadow*, may be a mere figment of the fertile imagination of John Moschus, the matter-of-fact *Nomos Nautikos* speaks of ships of many thousand bushels. A bushel was forty pounds, and a ship's worth was reckoned at fifty pounds of gold every thousand bushel. Then there was the cargo, which could include gold, silver, whole silk, pearls, wine, oil, or grain, each specifically mentioned in the *Nomos Nautikos* and in other sources. Slaves, too, were a rewarding, if often illegal and morally objectionable merchandise. Alone or associated with others, with capital partly owned and partly borrowed, the sea captains conducted innumerable ventures; and every sailor was entitled to a share of the profits according to the rules of the *Nomos Nautikos*.<sup>26</sup>

None of the new ideas of the seventh century is more important than the first references in the *Nomos Nautikos* and in the Isaurian *Ecloga* to what proved to be the most popular mediaeval contract to pool capitals in sea ventures. These sources call it *χρεωκοινωνία*, *κερδοκοινωνία*, or, more precisely, *δάνειον [ἐπὶ] κοινωνία* (loan in partnership); the late mediaeval West, which developed and exploited the contract more fully, called it *collegantia* or *commenda*.<sup>27</sup> As the Byzantine name indicates, it combined the advantages

<sup>25</sup> On the "iniquities" cf. G. I. Bratianu, *Etudes byzantines d'histoire économique et sociale* (Paris, 1938), 195 ff., with further references; in general on ships and ship captains see our references in footnotes 7 and 9 above.

<sup>26</sup> The scholar who undertakes a fresh study of the *Nomos Nautikos*—may this happen soon!—will find a great wealth of collateral evidence not only in John Moschus' *Spiritual Meadow* (the ship mentioned in our paper appears in chap. 83; cf. *Nomos Nautikos*, ed. Ashburner, II, 16), but also in the Miracles of St. Demetrius and those of Artemius, the Lives of St. John the Almsgiver, St. Theodore Sikeotes, St. Spyridon, St. Nilus, St. Luke the Younger, St. Peter of Argos, St. Gregory Decapolites, and other religious literature. Indeed, for two or three centuries the ship captain and the sailor occupy in Byzantine hagiography virtually the same central position as the landowner and the peasant in Western hagiography; the contrast reflects all the difference between a maritime economy with a fairly lively trade and a land-bound economy with narrow horizons. Two pioneer papers are based upon sources of this kind, B. N. Nelson and J. Starr, "The Legend of the Divine Surety and the Jewish Moneylender," *Annuaire de l'Institut de Philologie et d'Histoire Orientales et Slaves*, VII (1939-44), 289 ff. and G. R. Monks, "The Church of Alexandria and the City's Economic Life in the Sixth Century," *Speculum*, XXVIII (1953), 349 ff.; they are samples of what a methodical exploration with an eye to economic information might yield.

<sup>27</sup> *Nomos Nautikos* III, 9 and 17; *Ecloga* X, 5; for the *commenda* see the selected contracts translated in R. S. Lopez and I. W. Raymond, *Medieval Trade in the Mediterranean World* (New York, 1955), chap. 9, and the introduction to that chapter. The origin of the *commenda* is one of the most disputed points in economic and legal history; it would not be proper here to go over the various theories that have been suggested. My opinion is close to that of G. Astuti, *Origini e svolgimento storico della commenda fino al secolo XIII* (Turin, 1933)—this does not seem to have been seriously damaged by the

of a loan with those of a partnership. Like a loan, it entailed no liability for the investor beyond the sum of money or the quantity of merchandise handed over to the manager, and like a partnership, it divided the risks and profits of an investment between investor and manager. A longer description of this flexible, equable contract, which is justly regarded as having been a sinew of mediaeval sea trade, would be tedious for all but specialists in the history of mediaeval business. Still, it was gratifying to me, as I was preparing this paper, to encounter a passage in the Life of St. Spyridon containing most of the formulary of such contracts although it does not yet use the technical term, the *nomen juris*. Perhaps I may be forgiven if I quote here a literal translation of this early seventh-century formulary and a translation of the formulary of the earliest extant Venetian *commenda* contract, of 1073. Certain awkward expressions which had always surprised me in the Latin of Venice become obvious as a translation of the Greek of Trimithus.

*The Life of St. Spyridon*: A sea captain of Trimithus ... asked that he be given as a δάνειον a small sum of money in order to throw an investment in his ship, so that by putting it to work he might support his household ....<sup>28</sup>

*The Venetian contract*: I, Giovanni Lissado ... received in *collegantia* from you ... 200 pounds Venetian, and I threw in it 100 pounds, and out of this investment we have two shares in the ship of which Gosmiro da Molino is captain .... I promise to put to work all of this and to strive the best way I can....<sup>29</sup>

The *commenda* left the managing party, that is, the borrower, in virtual control of the investment (ἐνθήκη in Byzantine sources of the seventh century,

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objections of Silberschmidt and Condanari-Michler—although I would attach greater importance than he does to the influence of Muslim contracts (themselves influenced by Byzantine contracts) and, above all, to spontaneous evolution in the West. I believe, however, that Professor Astuti is right in regarding the *chreokoinonia* of the *Nomos Nautikos* and the *Ecloga* as the most important and direct foreign contribution to the origin of the Western *commenda*. The seventh-century source I quote here seems to add some weight to this view.

<sup>28</sup> Theodore of Paphos, chap. 21, p. 92 van den Ven: “προναύκληρός τις Τριμιθούντων ... παρακαλῶν δοῦναι αὐτῷ ἐν δάνει ὀλίγην τινα χρυσίου ποσότητα, ἵνα βάλῃ βλησίδιον (variant: ἐνθήκην) ἐν τῷ πλοίῳ αὐτοῦ, ὅπως διὰ τῆς περιποιήσεως αὐτοῦ διαθρέψῃ τὸν ἑαυτοῦ οἶκον ...” (See on his passage the philological comments of H. Grégoire, “Les mots βλησίδιον et σκορτίδιον dans la vie de S. Spyridon,” *Nouvelle Clio*, IV [1952], 324–25). There follows a brief description of the activity of the sea captain with the investment which could fit a *commenda* merchant of the later mediaeval West: to trade he goes from port to port (ἀγοράσας, which corresponds to the familiar “causa mercandi” of the *commenda* contracts), sells the investment, and carries back the proceeds which he delivers to the investor. There is no sharing of profits, however, because the hagiographer wishes to point out that St. Spyridon is merely interested in extending charitable loans; indeed, the Saint does not even protest when the captain fails to return the capital!

<sup>29</sup> R. Morozzo della Rocca and A. Lombardo, *Documenti del commercio veneziano nei secoli XI–XIII*, I (Turin, 1940), 12: *Accepi ego quidem Iohannes Lissado ... in collegancia de te ... libras denariorum ducentas, et ego ibidem iactavi libras denariorum centum, et de isto habere habemus sortes duas in nave ubi nauclerus est Gosmiro da Molino ... hoc totum laborare et procertare promitto in quo melius potuero ....* (There is a full translation of this document in Lopez and Raymond, *op. cit.*, 176–77, but it is not as literal as the translation of the excerpt in the present paper). It must be noted that the Venetian contract of 1073 is a bilateral *commenda*, that is, the person traveling also contributes some of the investment; whereas the Byzantine example comes closer to the unilateral *commenda*, as in Morozzo della Rocca and Lombardo, *ibid.*, 59.

*entica* again in many Italian contracts of the later Middle Ages).<sup>30</sup> If the investor wanted a tighter hold on the enterprise, there was the commission contract. Thus, in the *Doctrina Jacobi nuper baptizati*, we read of an Anatolian Jew who took for sale in Africa a few pieces of clothing and other merchandise belonging to a rich man. He was to receive not a share of the profits, but a fixed commission (μισθός) of 15 besants. Even so, the investor could hardly keep an eye on the manager once the latter had sailed off to put the capital "to work." As a matter of fact, the story tells us that the Jew stealthily sold the merchandise to his coreligionists in Carthage for a trifling sum.<sup>31</sup>

The rich man himself might have done better if he had taken a fixed interest while letting the agent trade at his own risk and profit from the investment. This could have been arranged through the "sea loan," known from classical antiquity and fairly popular down to the later Middle Ages, owing to its special clause that relieved the borrower from the obligation of returning capital and interest if the ship or the cargo were lost at sea. Roman law had established for such loans a legal interest rate which changed but little throughout Byzantine history. Unlike the Western Church, the Eastern Church made no sustained effort to outlaw as sinful all interest-bearing loans, and this was undoubtedly a boon to Byzantine trade.<sup>32</sup> Yet there are indications that such contracts did not meet with the same approval as the *commenda* and the commission. Had not the Gospel preached the lending of money out of love, without hope of any reward? The relevant verse of Matthew significantly recurs in the Life of St. Spyridon and in that of St. John the Almsgiver, both times to point out the inspiring example of a saint who had extended free loans to needy *naukleroi*, and had not even complained when the borrower failed to return the capital

<sup>30</sup> Isolated terms, of course, do not by themselves prove any similarity of legal forms. Ἐνθήκη is often found in Byzantine sources not only for the *chreokoinonia* and other contracts which seem to bear a resemblance to it, but also in commission agreements and loans: *Nomos Nautikos* III, titles 8, 39, 40; chaps. 11, 21, 32; *Ecloga* X, 5; Theodore of Paphos, 21, 92 var.; Leontius, *Vita S. Johannis*, 18, ed. Gelzer; *Doctrina Jacobi nuper baptizati*, ed. Bonwetsch, p. 90; additional references in Ducange (the word is post-classical). In turn, *hentica* is the technical term for the investment in Pisan *commenda* contracts (see, for instance, Lopez and Raymond, *op. cit.*, 180), but *entigum* is the *nomen juris* and *entega* the investment in another type of contract in Ragusa (Dubrovnik; cf. Ashburner, ccxlviii ff.); in Venice, the investment is called *habere* or *capetanea*, etc. The same can be said for such terms as *taxedium*, *nauclerus*, *catabolus*, all of them of Greek origin but widely used in the Latin West as well. Indeed the term *commenda* was used indiscriminately in the Middle Ages for contracts which modern jurists classify under other headings; on the other hand, what modern jurists call *commenda* was designated by other names in Venice and in some other towns. It is obvious that we cannot expect uniformity of official or learned jurisprudence in legal customs which grew almost spontaneously as the collective invention of thousands of obscure men. The development of mediaeval maritime law in the Mediterranean is to some extent comparable to that of vernacular languages; an ancient form was modified along the same lines in various centers, but it was some time before these changes were codified and given uniform rules valid for more than one locality.

<sup>31</sup> *Doctrina Jacobi nuper baptizati*, ed. N. Bonwetsch, *Abhandlungen der Königlichen Gesellschaft der Wissenschaften zu Göttingen*, Philol.-Histor. Klasse, N.S., XII (1910), 89-90. On the economic activities of the Jews see J. Starr, *The Jews in the Byzantine Empire, 641-1204* (Athens, 1939) and its abundant bibliographic references, which do not, however, include the *Doctrina*. For this reference I am indebted to Professor Dölger.

<sup>32</sup> Cf. G. Cassimatis, *Les intérêts dans la législation de Justinien et dans le droit byzantin* (Paris, 1931); Nelson and Starr, 299 ff.; S. Runciman in *Cambridge Economic History*, II, 108-09; Lopez, "East and West," p. 156-7.



after his safe arrival home. Similarly, the *Spiritual Meadow* stresses the moral advantage of lending without asking either for a reward or for collateral.<sup>33</sup>

Is it necessary to point out that even in the seventh century neither the average business man, nor the ordinary church administrator, was a saint? A papyrus of 541, concerning a banker in Constantinople and his correspondent in Alexandria, indicates that a priest had to pay the legally allowed 8 per cent interest, plus 4 per cent "to refund expenses," on a short-term loan of twenty *nomismata*. A passage in the Life of St. John the Almsgiver informs us that the church of Alexandria kept in its archives all sorts of memoranda (πιπτάκια) of business transactions in which it was involved either as a borrower or as a lender of money, so that it is safe to assume that informal loans extended by word of mouth, such as are mentioned in other passages of the same book, were quite exceptional.<sup>34</sup> Perhaps the most significant text of the period is the legend of the kindly Jewish money lender and the image of the *Antiphonetes* Savior, which has come down to us in a later version, but refers specifically to the time of Heraclius. It has many elements in common with an episode in the Life of St. John the Almsgiver and was retold through the years in many countries undergoing changes with each retelling until finally the generous Abraham became Shakespeare's Shylock. To recount the tale only briefly, since it is a legend familiar to Byzantinists, —Abraham was originally said to have lent a substantial sum to a Christian sea merchant, who had no other surety to offer than the icon of Christ set in the Chalkoprateia, and had, therefore, been able to find no-one else willing to risk capital with him. When the merchant's ship was wrecked and the entire investment lost, Abraham did not lose faith, but granted him a second loan. The miraculous intervention of the icon enabled the merchant to return this loan and would have yielded great financial profit to the lender had he not decided to become a Christian, to devote his riches to the building of a chapel enshrining the icon, and to serve as a priest in that chapel.<sup>35</sup>

Clearly, the legend has a double edge. By presenting a Jewish money lender under a most favorable light, it indicates that neither the sect nor the profession was the object of indiscriminate hatred. But, by having the Jew give away his

<sup>33</sup> Theod. of Paphos, chap. 21; Leontius, *Life of St. John*, chap. 35; cf. Ioh. Moschus, chap. 185; these examples could be multiplied. In the opinion of K. E. Zachariae von Lingenthal, *Geschichte des griechisch-römischen Rechts*, 3rd ed. (Berlin, 1893)—accepted by E. Freshfield, *A Manual of Roman Law, the Ecloga* (Cambridge, 1926), 36 ff.—religious considerations were paramount in the peculiar arrangement of *Ecloga* X (περί δανείου). The chapter makes no mention of interest on loans, but describes the profit-sharing arrangement of the κοινωνία (or, more precisely, of the κέρδους κοινωνία, specifically mentioned in the title of *Ecloga* X by one of the manuscripts). This suggestion is plausible, but we must not forget that actually the *chreokoinonia* is a modified loan or "loan in partnership." Its inclusion in *Ecloga* X may have helped the lawgiver to de-emphasize interest bearing loans, but did no violence to legal classifications.

<sup>34</sup> *Papyrus Maspero*, 67126; Leontius, *Life of St. John*, chap. 46; further comment in G. Mickwitz, "Die Organisationsformen zweier byzantinischer Gewerbe im X. Jahrhundert," *Byzantinische Zeitschrift*, XXXVI (1936), 63 ff.; Monks, *op. cit.*, 359.

<sup>35</sup> Nelson and Starr give full details on this legend and its various ramifications, and provide abundant bibliographic references. Add now Lopez, "Relations anglo-byzantines," 145 ff.; E. Kitzinger, "The Cult of Images in the Age before Iconoclasm," *Dumbarton Oaks Papers*, 8 (1954), 102 and note 63, especially important for the religious background of the legend.

honestly gathered riches and enter ecclesiastic life, it exalts spiritual treasures as contrasted to hazardous commercial gains. John Moschus, too, issues a similar warning: a merchant learns that the sailors of the ship on which he is embarked are plotting to murder him in order to steal his pearls, and decides to throw the pearls into the sea, thus acquiring the greater wealth—peace of mind.<sup>36</sup> To be sure, religious writers in the Byzantine Empire were no more hostile in their attitude toward Mammon than were the writers of Western Europe. There, too, the world of business had to wait for Aquinas to give it a qualified absolution, and for Calvin to make it a blessed vocation; and this change came only after the rise of towns had created a new nobility based on trade and new states dedicated to economic success. No such change occurred in the Byzantine Empire. The bias of the Church coincided with the views of the state and the lay aristocracy, which ever since classical antiquity had looked down upon the merchants and had placed agriculture well above trade.

Why, then, did the star of the *naukleroi* rise so rapidly during the seventh century? It might not be too bold to suggest that there was a certain influence of the Muslim world, where trade and traders had always been held in highest esteem. Muhammad himself had been a merchant, and not only the Koran, but also the early manuals of Muslim ethics pay sounding praise to the quest for wealth and the profession of commerce.<sup>37</sup> More direct reasons, however, can easily be found in the Byzantine empire itself. The physical survival of entire provinces hinged on the success of the seamen in bringing food, weapons, and other supplies. Moreover, the seventh century saw the liquidation of the old aristocracy and the breakdown of large estates in most of the provinces. There was a vacuum of power, which the *naukleroi* temporarily filled. For a moment it looked as though the land of Minos and Ulysses was to become once more a thalassocracy: the long series of soldiers and bureaucrats who had been exalted to the imperial throne made room for an admiral, Tiberius III. But soon thereafter, the restoration of Justinian II—the probable author of the *Nomos Georgikos*—marked the end of the maritime interlude. A new landed aristocracy arose in the place of the old and drove the adventurous people of the sea back into comparative obscurity.

In the centuries that followed Constantinople and her distant daughter Venice went their separate ways. Venice embraced the destiny which her lagoons had prepared for her, and made the *commenda* a driving force for a great future. Constantinople did not shun the sea, but showed a growing preference for the land. Her merchants gradually shortened their journeys and tarried in the *mitata* of the capital. Her seamen could win no social status unless they took the old advice of Cicero—sell your ship as soon as you have earned enough, and live like gentlemen on a country estate. Thus it was that in the ninth century, while the Venetian Doge Giustiniano Partecipazio invested a large proportion

<sup>36</sup> Ioh. Moschus, chap. 203; many other examples could be given.

<sup>37</sup> Cf. G. E. von Grunebaum, *Medieval Islam*, 2nd ed. (Chicago, 1953), 215 ff.; S. D. Goitein, "The Rise of the Near-Eastern Bourgeoisie in Early Islamic Times," *Journal of World History/Cahiers d'histoire mondiale*, III (1957), 583 ff., with bibliographic references.

of his capital in sea ventures, the Emperor Theophilus ordered the destruction of a ship chartered by his wife, for, he said, "God has made me Emperor, and you should not transform me into a *naukleros*!"<sup>38</sup>

YALE UNIVERSITY

<sup>38</sup> The well-known story of the "justice of Emperor Theophilus" is related by several Byzantine chroniclers: Theoph. Cont., *Theoph.*, 4; Genesius, ed. Bonn, 75-76; Zonaras, XV, 25 (357-358 Bonn). At an informal meeting in the Byzantine Seminar of the University of Brussels, Professor Grégoire agreed with me that Zonaras' is the best of the parallel accounts; as often happens, the chronicler is later, but has used better sources. The will of Giustiniano Partecipazio is translated in Lopez and Raymond, *op. cit.*, 39 ff. and commented upon in my paper on "Venezia e le grandi linee dell'espansione commerciale nel secolo XIII," *La civiltà veneziana del secolo di Marco Polo* (Florence, 1955), 42 ff.; for its historical background see G. Luzzatto, "Les activités économiques du patriciat vénitien," *Annales d'histoire économique et sociale*, IX (1937), 25 ff., now reprinted in Luzzatto's *Studi di storia economica veneziana* (Padua, 1954).